

RESOLUTION NO. 04-062

RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS (BCC) AMEND THE PEOPLE'S TRANSPORTATION PLAN (PTP) TO INCLUDE PARATRANSIT/SPECIAL TRANSPORTATION SERVICES (STS) AS AN ELIGIBLE PROJECT FOR CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS IN AN AMOUNT NOT TO EXCEED \$55.4 MILLION AND SET TO EXPIRE ON APRIL 1, 2010

WHEREAS, the CITT desires to accomplish the purposes outlined in the accompanying OCITT Executive Director's memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE CITT, that this Trust recommends to the BCC that the PTP be amended to include Paratransit/STS as an eligible project for Charter County Transit System Surtax Funds in an amount not to exceed \$55.4 million and set to expire April 1, 2010, as outlined in the accompanying memorandum, in substantially the form attached hereto and made a part hereof.


The foregoing resolution was offered by Miles Moss, who moved its adoption. The motion was seconded by Harold Braynon, Jr. and upon being put to vote, the vote was as follows:

Marc A. Buoniconti, Chairman	Aye
Hon. Luis Morse, Vice-Chairman	Absent

Yolanda Aguilar	Absent	Harold Braynon, Jr.	Aye
LtCol Antonio Colmenares	Aye	Henry Lee Givens	Aye
Franklin Kelly	Aye	Thamara Labrousse	Aye
Miles Moss	Aye	Maureen O'Donnell	Aye
Hon. James Reeder	Aye	Theodore Wilde	Aye
Hon. Linda Zilber	Aye		

The Chairperson thereupon declared the resolution duly passed and adopted this
27th day of October 2004.

Approved by County Attorney as
to form and legal sufficiency. BJ

By: 

Executive Director

Memorandum

MIAMI DADE
COUNTY

Date: September 24, 2004

To: Nan Markowitz, Executive Director
Office of the Citizens' Independent Transportation Trust

From: Roosevelt Bradley, Director
Miami-Dade Transit

Subject: Resolution Recommending an Amendment to the People's Transportation Plan to Include Paratransit/Special Transportation Services as an Eligible Project for Charter County Transit Surtax Funds

Attached for your review is a Resolution Recommending an Amendment to the People's Transportation Plan to Include Paratransit/Special Transportation Services as an Eligible Project for Charter County Transit Surtax Funds.

It is requested that this item be routed through the October Committee cycle of the CITT for consideration at the October full Trust meeting.

This item has been reviewed by Bruce Libhaber, Assistant County Attorney. If you have any questions or concerns regarding this item please contact me at (305) 375-2546 or have your staff contact Lourdes Gomez at (305) 375-5481.

Received by

John Trato

Date

6-24-04

RECEIVED

SEP 24 2004

6/10 JF

AGENDA ITEM 7-H

Office of the
Citizens' Independent
Transportation Trust

Memo

To: Marc A. Buoniconti, Chairman
and Members, Citizens' Independent Transportation Trust

From: Nan A. Markowitz, Executive Director

cc: Carlos F. Bonzon, Ph.D., P.E., Surface Transportation Manager
Bruce Libhaber, Assistant County Attorney

Date: October 20, 2004

Re: Resolution Recommending an Amendment to the People's Transportation Plan to Include Paratransit/Special Transportation Services as an Eligible Project for Charter County Transit System Surtax Funds

RECOMMENDATION

It is recommended that the Citizens' Independent Transportation Trust (CITT) approve a resolution recommending an amendment to the People's Transportation Plan (PTP) to include Paratransit/Special Transportation Services (STS) as an eligible project for Charter County Transit System Surtax Funds.

This item was amended at the CITT's Budget & Finance Committee meeting on October 13, 2004, to restrict the amount and duration of the amendment to an amount not to exceed \$55.4 million and set to expire April 1, 2010.

BACKGROUND

On September 9, 2004, the Board of County Commissioners approved Contract No. TR04-TSB, RFP 323, Paratransit Transportation Services, with Advanced Transportation Solutions, LLC. This five-year contract award included a variety of negotiated enhancements to Paratransit Services that were recommended in part by the STS Oversight Taskforce, the STS Riders' Advisory Group, the Committee on Disabilities Issues (CODI), Alliance for the Aging, Cross Disabilities Transportation Issues Committee, Inc. (CDTIC), the Transportation Communications Working Group (TCWG), the Citizens' Transportation Advisory Committee (CTAC) and the County's Office of Americans with Disabilities Act (ADA). These enhancements included:

- Use of Trapeze Software
- Inclusion of Living Wage provisions

- 5% spare vehicle ratio required
- Service window of 0 minutes before to 30 minutes after the negotiated pick-up time
- Ability to obtain an Estimated Time of Arrival (ETA) 20 minutes after negotiated pick-up times
- Expanded and centralized training for providers to ensure uniformity in the delivery of service
- Reservations from 1 to 7 days in advance
- 5 minute chauffeur wait time
- Fee waived if wait time exceeds 60 minutes
- Use of medium or large size sedan vehicles; compact vehicles prohibited
- Additional performance standards, incentives and liquidated damages
- Audit provisions
- Provisions for implementation of additional technologies through the life of the contract

These contract enhancements, along with the new technologies planned for the coming years, will improve the quality of service for the STS users significantly. The original contract ceiling for the current contract was \$75,000,000; after a series of amendments, the ceiling became \$102,955,000 (based on a five (5) year term). However, the total estimated ceiling for a new five (5) year term is \$219 million. A number of factors have contributed to this increase and are explained below.

▪ Living Wage

Since the current contract did not have a Living Wage Ordinance in effect in the first three years, the annual costs were much lower, skewing the total cost for the five year term. Upon implementation of the Living Wage Ordinance, effective September 24, 2002, the per trip cost increased 31%. This translates into a higher cost per trip for the base year of this new contract.

▪ CPI Index

Based on the proposed costs by the recommended vendor, the blended (weighted average of ambulatory and non-ambulatory) per trip cost for the first year of the contract is \$25.00. Using this as the baseline, a new five (5) year contract with only a CPI adjustment of 3% would result in a contract of approximately \$165 million.

▪ Growth Rate/Ridership

Based on historical trends, staff has projected there will be a 10% approximate growth in service demand for each contract year in ambulatory trips and between 6% and 9% in non-ambulatory trips. This would bring the estimated total ceiling of the contract to \$219 million.

There are two sources of increases in the number of trips taken by STS riders: an increase in the number of riders certified and authorized to travel (number of clients), and an increase in the number of trips taken by each authorized rider (average number of trips per client). For the first five months of 2002, 2003 and 2004, the number of riders certified and the number of trips taken by all certified riders are as follows:

	Number of Registered ADA Riders	Number of Riders Taking at least 1 trip	Total Trips for those Riders	Average Trips per Rider
2002	15,817	11,576	445,975	38.53
2003	19,575	12,246	495,072	40.43
2004	23,605	13,527	537,711	39.75

Over the past two years, the data shows that the number of riders and total number of trips has increased each year.

Due to budget and staffing constraints, Miami-Dade Transit (MDT) had not previously conducted regular re-certifications of certified riders. Instead, it conducts random re-certifications upon notification of a change in condition. Without a recertification policy, STS certified individuals are essentially certified indefinitely. Other transit properties use this method to try and keep the client population under control. MDT will develop and implement a recertification program to review ADA paratransit eligibility of active riders to determine eligibility based on their current medical condition. This function can now be accomplished with current staffing levels made available through the establishment of MDT's four new satellite outreach centers.

Another factor that may have affected the growth in STS population is the inability of the certification staff to conduct functional assessments. Functional assessments are comprehensive, in-person assessments of the applicant's cognitive or physical limitations as they relate to using public transportation. Currently, staff uses medical verification by a physician and limited in-person observations to determine the functional limitations of an applicant. However, functional assessments must be performed by medically trained staff or by outsourcing the task. MDT will conduct a comprehensive analysis to determine the cost benefits and requirements for implementing functional assessments as a means of ensuring that paratransit service is provided to individuals who strictly qualify in accordance with ADA guidelines.

Furthermore, staff will be conducting analyses to evaluate the costs associated with the current provision of service over and beyond the ADA requirements as detailed in Exhibit 1. There may be opportunities for cost savings with the implementation of policy changes related to the ADA service area, ADA service hours, cancellation and no-show policies, etc.

In addition, we are hopeful that as the County comes into full compliance with the Nesbitt Lawsuit and provides curb cuts near all bus stops, the disabled population should be better able to access our buses. (The Nesbitt Lawsuit was a class-action lawsuit filed by plaintiffs with disabilities alleging that they were not able to access our fixed route because it was not fully compliant with the Americans with Disability Act (ADA). The County entered into a settlement agreement wherein the County agreed to repair the curb cuts/sidewalks near bus stops.)

However, the negotiated contract ceiling of \$219 million obligates more funding than the amount budgeted by MDT for STS by approximately \$5.1 million for FY 04-05. In future years, the shortfall is estimated at \$6.9 million for FY 05-06, \$10.1 million for FY 06-07, \$14.3 million for FY 07-08 and \$19.0 million for FY 08-09 for a total of \$55.4 million over the 5-year life of the contract. This

projected shortfall is based on the above cited assumed growth rates in trips based on historical data. During the Board discussion, several Commissioners highlighted the role that the disabled community played in the passage of the PTP, stating that the community serviced by STS was instrumental in the passage of the Surtax, participated in the public hearings, and expected and deserved to benefit from the improvements to be offered by the Surtax Funds. Since STS is this community's chief means of transport, the Commission wondered why Surtax Funds were not being used to supplement the funding sources currently budgeted by MDT for this contract.

The PTP Resource Guide, used for promotion of the Surtax prior to November, 2002, and the original Pro Forma designed to accompany the July 9, 2002 Surtax Ordinance, included Paratransit Services as an eligible project. However, the County Attorney advised that because STS was not specifically listed in Exhibit 1 of the PTP, an amendment to the PTP would be necessary in order for Surtax Funds to be utilized. The Board then moved to award the Contract with the condition that the funding discrepancy be resolved within 180 days, and adopted a motion requesting that the CITT review a potential amendment to the PTP to include Paratransit Services as an eligible project for Surtax Funds. Once a plan amendment is recommended by the CITT and approved by the full Board of County Commissioners, Contract No. TR04-TSB with Advanced Transportation Solutions, LLC, will be presented to the CITT for approval.

FISCAL IMPACT

The expected impact on the Surtax Funds for the 5-year life of the contract is estimated at \$55.4 million. Since STS is a contracted service, all associated expenses for the next 5 years are captured by this contract. The revised Pro Forma will include the impact of these costs for both these first 5 years and any future contracts.

The remaining funding difference of \$163.6 million from the current \$219 million contract ceiling will be offset by other local and federal funds. The Federal Transit Administration (FTA) provides funding for 15-20% of this project. (The original RFP Request to Advertise stated that 20-25% of the project would be funded from FTA. This percentage has been reduced since the cost of the program has increased and, at this time, FTA participation has not increased proportionately.) Florida's Transportation Disadvantaged Program provides funding to the County (\$6.4 million projected for fiscal year 2003-2004) of which approximately 78% goes towards funding the STS project. The balance is funded from MDT Operating Funds.

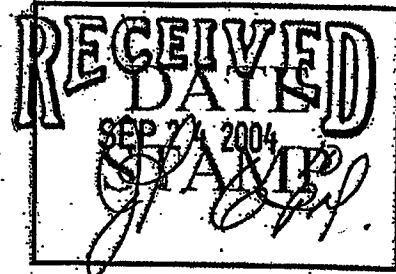
**APPROVED FOR LEGAL
SUFFICIENCY:**


Assistant County Attorney

10/20/04

Date

**CITT/COMMITTEE
STAFF AGENDA ITEM
PACKING AND REVIEW FORM**

Date Received - Board Coordinator: 9/24/04

1. Item Name: Resolution recommending amendment to the PTP to include Paratransit/STS as an eligible project for Charter County Transit Surtax Funds

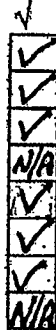
2. Scheduling and Approvals:

COMMITTEE	DATE	ACTION	COMMENTS
CITT Board	10/27/04	<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	
Compliance & Oversight	10/13/04	<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	
Project Review	10/13/04	<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	
External Affairs	10/18/04	<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	
Budget & Finance	10/13/04	<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	
Executive Planning	10/18/04	<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	

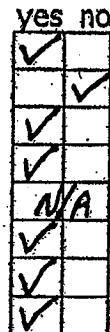
DEADLINE FOR STAFF REVIEW TO MEET AGENDA: 4 days

3. Document Reviews:

- 1 CITT/COMMITTEE AGENDA ITEM SUBMISSION FORM
- 2 Cover memo requesting action
- 3 Proposed resolution for approval by CITT
- 4 Certified copy of BCC resolution (for contracts, MOU's, etc.)
- 5 Project timeline (if applicable)
- 6 Total project/contract budget, by fiscal year, indicating all funding (if applicable)
- 7 Project/contract Implementation timeline, by fiscal year
- 8 Copy of contract measures assigned by DBD (if applicable)



- Furthers the goals of PTP
 Negative fiscal Impact to PTP
 Justification of need for approval
 Time sensitive
 DBE/CSBE/contract measures appropriate/adequate
 Competitive process used
 Budget complete
 Budget request within reasonable/customary levels



4. Sign-off:

Reviewer: [Signature] Title: Div. Director Date: 9/29/04

DOCUMENT TRACKING:

Project Review: Date received: 9/28/04 Date Review Completed: 9/30/04 *pf*
 Budget & Finance: Date received: 9/28/04 Date Review Completed: 9/30/04 *st*
 External Affairs: Date received: 9/28/04 Date Review Completed: 9/30/04 *ved*
 Board Coordinator: Date received: _____